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09/435,004	11/05/1999	JOHN W. DUNSMOIR	AT9-99-561	4648

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EXAMINER
ROMERO, ALMARI DEL CARMEN

ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/435,004	Applicant(s) DUNSMOIR ET AL.	
	Examiner Almari Romero	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 November 1999* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 November 1999* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Application filed on 11/05/99 and the IDS filed on 11/05/99.

2. Claims 1-44 are pending in the case. Claims 1, 18, and 33 are independent claims.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 11/05/99 has been considered by the examiner.

Drawings

4. The drawings filed on 11/05/99 are objected to as indicated in the attached PTO-948 form. Formal corrected drawings can be filed at allowance.

Claim Objections

5. Claims 1, 7, 18, 29, 32, 34-35 and 38 are objected to because of the following informalities:

Claim 1, line 9: "theeby" should read "thereby"; claim 7, line 3: "fle" should read "file"; and claim 18, line 2: "contnt" should read "content".

Each of the following claims 29, 32, 34-35, and 38 currently depends from itself. For purposes of examination the following dependencies have been assumed:

Claim 29 depends on "claim 28"; claim 32 depends on "claim 31"; claim 34 depends on "claim 33"; claim 35 depends on "claim 33"; claim 38 depends on "claim 33".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 1-11, 14-25, 28-38, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (USPN 5,715,453 – issued on 02/1998) in view of Douglis et al. (USPN 6,021,426 – filed on 12/1997).**

Regarding independent claim 1, Stewart discloses:

The method of producing dynamic web page content for transmission on a computer network, comprising the steps of:

receiving at least one static web page, said static web page containing layout and content definitions (Stewart on col. 3, lines 14-43 and col. 6, line 67- col. 7, line 11: static web pages used to insert dynamic data into the appropriate field);

mapping dynamic web content into said template web page, thereby creating at least one dynamic web page containing said dynamic content (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches placing dynamic data in a dynamic data field in the web page to send updated web page to the user's web browser).

However, Stewart does not explicitly disclose "extracting said layout definition from said static web page thereby creating at least one template web page".

Douglis et al. (Douglis) on col. 3, lines 31-53: teaches template or static portion containing tags which will delineate where the HTML code the components of the dynamic portion are to be inserted.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Douglis into Stewart to provide a way to incorporate a template containing tags which will delineate where to place dynamic content to create a dynamic web page in order reduce latency and bandwidth requirements for the network.

Regarding dependent claims 2 and 19, Stewart discloses:

wherein said static web page contains Hyper Text Markup Language (Stewart on col. 3, lines 14-43: teaches static web pages can be written in HTML).

Regarding dependent claims 3 and 20, Douglis discloses:

wherein said template web page contains Hyper Text Markup Language (Douglis on col. 3, lines 31-53: teaches template or static portion are in HTML code).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Douglis into Stewart to provide a way to incorporate a template containing tags which will delineate where to place dynamic content to create a dynamic web page in order reduce latency and bandwidth requirements for the network.

Regarding dependent claims 4 and 21, Stewart discloses:

wherein said dynamic web page contains Hyper Text Markup Language (Stewart on col. 6, line 67 – col. 7, line 11: teaches HTML data with embedded dynamic data).

Regarding dependent claim 5, Stewart discloses:

further comprising the step of retrieving said dynamic web content from a computer-readable medium (Stewart on col. 3, lines 54-67 and col. 4, lines 11-36: teaches dynamic data can be retrieved from a data source such as memory).

Regarding dependent claim 6, Stewart discloses:

wherein said step of retrieving said dynamic web content from a computer-readable medium includes retrieving said dynamic content from a computer database (Stewart on col. 3, lines 54-67 and col. 4, lines 11-36: teaches dynamic data can be retrieved from a data source such as a database).

Regarding dependent claim 7, Stewart discloses:

wherein said step of retrieving said dynamic web content from a computer-readable medium includes retrieving said dynamic content from a computer file system (Stewart on col. 3, lines 54-67 and col. 4, lines 11-36: teaches querying data source; which data source can be a file system to query for data).

Regarding dependent claim 8, Stewart discloses:

wherein said step of retrieving said dynamic content from a computer-readable medium includes retrieving said dynamic web content from a computer network interface (Stewart on col. 3, lines 54-67 and col. 4, lines 11-36 and lines 62-66: teaches dynamic data can be retrieved from a data source via network interface).

Regarding dependent claim 9, Stewart discloses:

wherein said step of retrieving said dynamic web content from a computer network interface includes retrieving said dynamic content from a local area network interface (Stewart

on col. 3, lines 54-67 and col. 4, lines 11-36 and lines 62-66: teaches dynamic data can be retrieved from a data source in a LAN).

Regarding dependent claim 10, Stewart discloses:

wherein said step of retrieving said dynamic web content from a computer network interface includes retrieving said dynamic content from an Internet (Stewart on col. 3, lines 54-67 and col. 4, lines 11-36 and lines 62-66: teaches dynamic data can be retrieved from a data source in the Internet).

Regarding dependent claim 11, Stewart discloses:

further comprising the step of receiving a first reference to said static web page and a second reference to said dynamic web content via an Hyper Text Transfer Protocol Post command (Stewart on col. 5, lines 1-7: teaches many protocols used to implement a network may include HTTP).

Regarding dependent claim 14, Stewart discloses:

further comprising the storing of said dynamic web page in a computer-readable media (Stewart on col. 3, lines 14-43 and col. 4, lines 24-40: teaches dynamic data embedded in a web page can be stored in memory).

Regarding dependent claims 15 and 31, Stewart discloses:

further comprising transmitting said dynamic web page over a computer network (Stewart on col. 7, lines 29-46: teaches web page with embedded dynamic data can be sent across the network to the user's web browser).

Regarding dependent claim 16, Stewart discloses:

wherein said computer network includes a local area network (Stewart on col. 4, lines 62-66: teaches LAN).

Regarding dependent claims 17, 32, and 44, Stewart discloses:

wherein said computer network includes an Internet (Stewart on col. 4, lines 62-66: teaches Internet).

Regarding independent claim 18, Stewart discloses:

A computer program product for use with a web server system to create dynamic web documents, comprising:

a computer usable medium having computer readable program code means embodied in said medium for receiving a static web document, said static web document having layout definition and content definition (Stewart on col. 3, lines 14-43 and col. 6, line 67- col. 7, line 11: static web pages used to insert dynamic data into the appropriate field);

a computer usable medium having computer readable program code means embodied in said medium for receiving dynamic web count suitable for mapping into a web document (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches retrieving dynamic data from data source to place the dynamic data in a dynamic data field in the web page); and

a computer usable medium having computer readable program code means embodied in said medium for mapping said dynamic web content into said template web document, thereby creating a dynamic web page (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches placing dynamic data in a dynamic data field in the web page to send updated web page to the user's web browser).

However, Stewart does not explicitly disclose "extracting said layout definition and creating a template document".

Douglis on col. 3, lines 31-53: teaches template or static portion containing tags which will delineate where the HTML code the components of the dynamic portion are to be inserted.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Douglis into Stewart to provide a way to incorporate a template containing tags which will delineate where to place dynamic content to create a dynamic web page in order reduce latency and bandwidth requirements for the network.

Regarding dependent claim 22, Stewart discloses:

wherein said computer readable program code means for receiving a static web document comprises computer readable program code means, embodied in said media, for retrieving said static web page from a computer database (Stewart on col. 7, lines 17-28: teaches looking for requested web page in a micro file to insert dynamic data retrieved from data source, such as database).

Regarding dependent claim 23, Stewart discloses:

wherein said computer readable program code means for receiving a static web document comprises computer readable program code means, embodied in said media, for retrieving said static web page from a computer network (Stewart on col. 7, lines 17-46, see Figure 3: teaches web pages to embed dynamic data can be retrieved from a transaction processor 224 in the network).

Regarding dependent claim 24, Stewart discloses:

wherein said computer readable program code means for retrieving said static web page from a computer network comprises computer readable program code means, embodied in said media, for retrieving said static web page from an Internet (Stewart on col. 7, lines 17-46 and col. 4, lines 62-66, see Figure 3: teaches web pages to embed dynamic data can be retrieved from a transaction processor 224 in the Internet).

Regarding dependent claim 25, Stewart discloses:

wherein said computer readable program code means for receiving a static web document comprises computer readable program code means, embodied in said media, for retrieving said static web page from a computer file system (Stewart on col. 7, lines 17-28: teaches looking for requested web page in a micro file (within a file system) to insert dynamic data retrieved from data source).

Regarding dependent claim 28, Stewart discloses:

wherein said computer readable program code means further comprises computer readable program code means, embodied in said media, for storing said dynamic web page in a computer readable medium (Stewart on col. 3, lines 14-43 and col. 4, lines 24-40: teaches dynamic data embedded in a web page can be stored in memory).

Regarding dependent claim 29, Stewart discloses:

wherein said computer readable program code for storing said dynamic web page in a computer readable medium comprises computer readable program code means, embodied in said media, for storing said dynamic web page in a computer file system (Stewart on col. 3, lines 14-43, lines 54-67 and col. 4, lines 11-40: teaches dynamic data embedded in a web page can be stored in a file system to query for data).

Regarding dependent claim 30, Stewart discloses:

wherein said computer readable program code for storing said dynamic web page in a computer readable medium comprises computer readable program code means, embodied in said media, for storing said dynamic web page in a computer database (Stewart on col. 3, lines 14-43, 54-67 and col. 4, lines 11-40: teaches stored dynamic data can be retrieved from a data source such as in a database).

Regarding independent claim 33, Stewart discloses:

A system for producing web pages containing dynamic content, comprising:

a means for receiving a first web page (Stewart on col. 3, lines 14-43 and col. 6, line 67- col. 7, line 11: static web pages (first web page) used to insert dynamic data into the appropriate field);

a means for receiving a dynamic web content to be mapped into a web page (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches retrieving dynamic data from data source to place the dynamic data in a dynamic data field in the web page); and

a means for mapping said dynamic web content into said layout definition thereby creating a second web page (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches placing dynamic data in a dynamic data field in the web page to send updated web page (second web page) to the user's web browser).

However, Stewart does not explicitly disclose "a means for extracting a layout definition from said first web page".

Douglis on col. 3, lines 31-53: teaches template or static portion containing tags (layout definition) which will delineate where the HTML code the components of the dynamic portion are to be inserted.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Douglis into Stewart to provide a way to incorporate a template containing tags which will delineate where to place dynamic content to create a dynamic web page in order reduce latency and bandwidth requirements for the network.

Regarding dependent claim 34, Stewart discloses:

wherein said means for receiving a first web page includes a means for receiving a Hyper Text Markup Language web page (Stewart on col. 3, lines 14-43: teaches static web pages can be written in HTML).

Regarding dependent claim 35, Stewart discloses:

wherein means for receiving a Hyper Text Markup Language web page includes a means for receiving web pages from a computer database (Stewart on col. 7, lines 17-28: teaches looking for requested HTML web page in a micro file to insert dynamic data retrieved from data source, such as a database).

Regarding dependent claim 36, Stewart discloses:

wherein means for receiving a Hyper Text Markup Language web page includes a means for receiving HTML web pages from a computer file system (Stewart on col. 7, lines 17-28: teaches looking for requested HTML web page in a micro file (within a file system) to insert dynamic data retrieved from data source).

Regarding dependent claim 37, Stewart discloses:

wherein means for receiving a Hyper Text Markup Language web page includes a means for receiving web pages from a computer network (Stewart on col. 7, lines 17-46, see Figure 3: teaches HTML web pages to embed dynamic data can be retrieved from a transaction processor 224 in the network).

Regarding dependent claim 38, Stewart discloses:

wherein means for receiving web pages from a computer network includes a means for receiving web pages from an Internet (Stewart on col. 7, lines 17-46 and col. 4, lines 62-66, see Figure 3: teaches web pages to embed dynamic data can be retrieved from a transaction processor 224 in the Internet).

Regarding dependent claim 41, Stewart discloses:

further comprising a means for storing said second web page in a computer database (Stewart on col. 3, lines 14-43, 54-67 and col. 4, lines 11-40: teaches stored dynamic data can be retrieved from a data source such as in database).

Regarding dependent claim 42, Stewart discloses:

further comprising a means for storing said second web page in a computer file system (Stewart on col. 3, lines 14-43, lines 54-67 and col. 4, lines 11-40: teaches dynamic data embedded in a web page can be stored in a file system to query for data).

Regarding dependent claim 43, Stewart discloses:

further comprising a means for transmitting said second web page over a computer network (Stewart on col. 7, lines 29-46: teaches web page with embedded dynamic data can be sent across the network to the user's web browser).

8. **Claims 12-13, 26-27- and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart and Douglis as applied to claims 1-11, 14-25, 28-38, and 41-44 above, and further in view of Guedalia (USPN 6,121,970 – filed on 11/1997).**

Regarding dependent claim 12, Stewart and Douglis disclose the invention substantially as claimed as described *supra*. However, Stewart and Douglis do not explicitly disclose " providing a servlet".

Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Regarding dependent claim 13, Guedalia discloses:

further comprising providing a servlet for mapping said dynamic web content into said template web page. (Stewart on col. 3, lines 14-43 and col. 6, line 67- col. 7, line 11: web pages used to place dynamic data into the appropriate field) and (Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page

containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Regarding dependent claim 26, Guedalia discloses:

comprising at least one servlet (Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Regarding dependent claim 27, Guedalia discloses:

comprising at least one Java servlet (Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Regarding dependent claim 39, Guedalia discloses:

wherein said means for extracting said layout definition from said first web page comprises a servlet program (Douglis on col. 3, lines 31-53: teaches template or static portion containing tags (layout definition) which will delineate where the HTML code the components

of the dynamic portion are to be inserted) and (Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Regarding dependent claim 40, Guedalia discloses:

wherein said means for mapping said dynamic web content into said layout definition and creating a second web page comprises a servlet program (Stewart on col. 6, line 67- col. 7, line 11 and lines 29-46: teaches placing dynamic data in a dynamic data field in the web page to send updated web page to the user's web browser) and (Guedalia on col. 6, lines 61-63 and col. 12, lines 21-30: teaches Java servlets running on a server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Guedalia into Stewart and Douglis to provide Java servlets running on a server such as a transaction processor for placing dynamic data into a web page containing tags which will facilitate the retrieval of HTML web pages from a server over a computer network environment.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,983,227 – Nazem et al. – filed on 06/1997

USPN 6,055,522 – Krishna et al. – filed on 06/1997

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

JOSEPH H. FEILD
PRIMARY EXAMINER

AR
January 24, 2003